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NATIVE COUNSELLING SERVICES OF ALBERTA

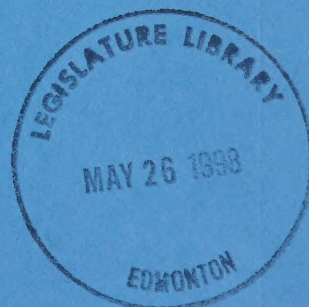
SUBMISSION TO

THE KIRBY COMMISSION

INVESTIGATING THE ADMINISTRATION

OF JUSTICE IN THE LOWER COURT SYSTEMS

[1975]



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Purpose

The Criminal Justice System in Canada is undergoing change in order to
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Department of Justice. The central concept of this system is the justice and the
law. The following report outlines the objectives of the system, the role of the
of its structure and other details recommended to the Commission.

Statement of Purpose

The Native Counselling Services of Alberta is an organization of justice of
Indian industry which is registered under The Societies Act of Alberta. The Society is
non-profit and non-sectarian. The Society primarily concentrates on the social
problems of the Native people in the Province and the rest of Canada.

Historical Development Current Programs

The Native Counselling Services of Alberta developed from the Traditional
programs offered by the Native Friendship Centre in Edmonton. The Traditional Center

Preface

The Criminal Justice System in Canada is undergoing change primarily in the direction of specialization and diversification. Evidence of this development can be seen in the proliferation of new agencies and new programs designed to provide new services or to improve or expand existing ones in an attempt to deal more effectively with some of the problems and people encountered by the Criminal Justice System.

Among the generally accepted responsibilities of the Criminal Justice System is the provision of certain services to one of the most important parts of the system -- the accused. The goals of the Criminal Justice System in this regard can be summarized as being justice, prevention, deterrence, rehabilitation and punishment. It is the effort to attain these goals that has produced the dramatic increase in the size and complexity of the Criminal Justice System.

A recent addition to the list of agencies which attempt to facilitate the delivery of certain services of the Criminal Justice System is the Native Counselling Services of Alberta. The central concern of this organization is Native people and the Law. The following pages will outline the development of the Service, report on some of its operations and offer certain recommendations to the Commission.

Statement of Purpose

The Native Counselling Services of Alberta is an organization of people of Indian ancestry which is registered under The Societies Act of Alberta. The Service is non-political and non-sectarian. The Service presently concentrates on two special problem areas for Native people -- the Courts and the use of alcohol.

Historical Development: Courtwork Programs

The Native Counselling Services of Alberta developed from the Courtwork program offered by the Native Friendship Centre in Edmonton. The Friendship Centres

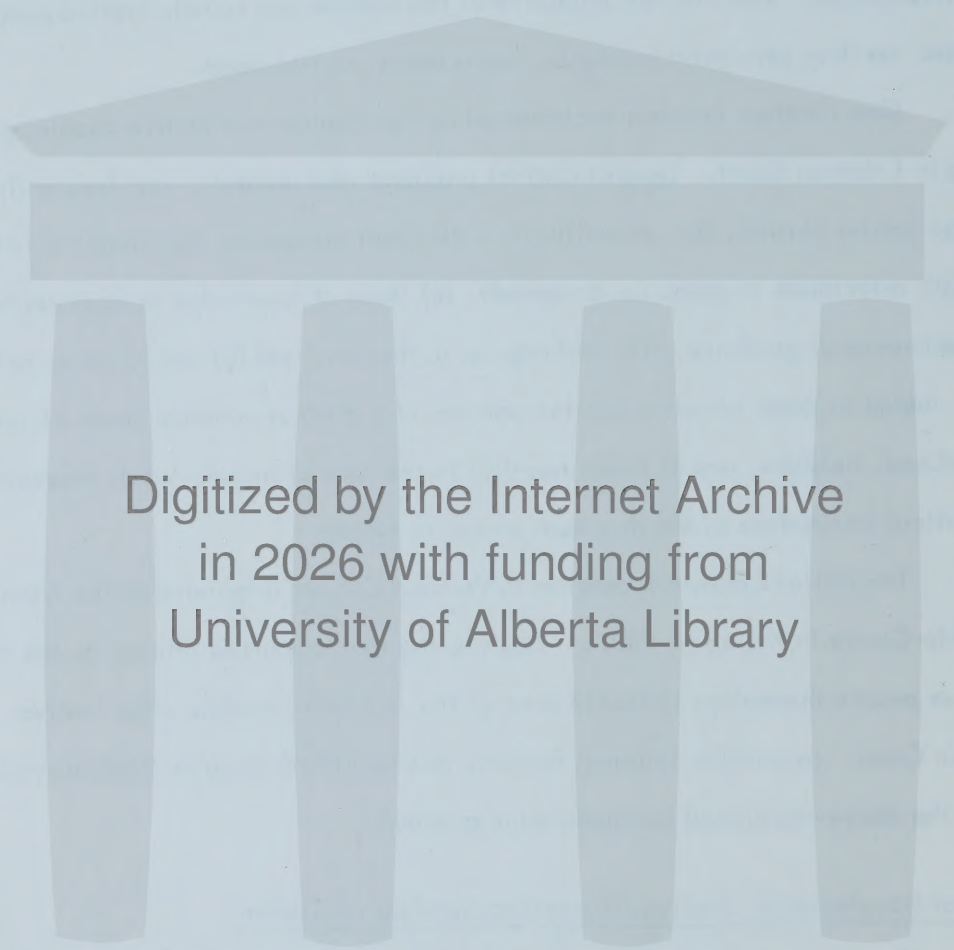
in Western Canada were among the first formally organized Native organizations and they were originally established in the urban areas as recreational and social centres for Native people. The over-all objective of the Centres was to help Native people in the cities, be they permanent residents, new-comers, or transients.

One constant problem encountered by the Centres was Native people appearing in Criminal Court. Several distinct problems were evident: (a) frequently a language barrier existed, (b) unfamiliarity with Court procedure, (c) inability to pay fines, (d) reluctance to speak up for oneself, (e) lack of knowledge of agencies to turn to for assistance or guidance, (f) confusion as to the law, and (g) confusion as to Native rights. Added to these concerns was the problem of a distinct minority group which often felt confused, helpless, and at times resentful in the face of social, legal, economic and political institutions of the dominant groups in society.

The initial Courtwork program in Western Canada originated at the Winnipeg Friendship Centre in the early 1960's. This was the first organized attempt on the part of Native people themselves to tackle some of the problems faced by other Native people in Court. In a rather informal fashion, this Courtwork program tried to resolve some of the above-mentioned communication problems.

Historical Development: Native Counselling Services of Alberta

The Native Friendship Centre in Edmonton officially opened in 1963 in an attempt to meet social, recreational, and cultural needs of Native people in the city. As the Centre became established, it expanded its scope of operations in the hopes of better attaining its goals and meeting the variety of needs of Native people. As a result of this expansion, the Centre made provision for certain members to familiarize themselves with some of the special problems faced by Native people in Court as well as the operation of the Criminal Justice System at the Municipal (now Provincial) Court.



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By the early 1960's there had been two members of the Centre who had devoted a small portion of their time and effort to attending the Municipal Court with the purpose of making themselves available to discuss problems faced by Native people who were appearing or had appeared in Court. Gradually, the duties of attending Court and being present to offer assistance became associated with the responsibilities of the Directors of the Native Friendship Centre. The Director responsible for attending Court soon found that the demands made upon him, primarily by Native people and to a lesser degree by some of the personnel involved in the operations at the Municipal Court, were increasing steadily. With this increasing demand for information about "What is going on; what can I do?" from Native people, plus requests for information such as, "Do you know this man; what are his circumstances?" from some of the people at Court, came the formalization of what is known today as the Courtwork service.

By 1964, the Courtworker was spending most of his time at the Municipal Court Building, trying to ensure that Native accused were fully aware of the charges, possible sentence and Court procedures such as making an election and plea, and paying a fine. Other responsibilities accepted by the Courtworker included acting as interpreter, helping Native accused contact legal counsel, and referring people with special difficulties to the appropriate agencies that offered that assistance. An additional service developed as the Courtworker became a permanent and accepted feature of the "Court scene". This service consisted of verbally providing background information concerning convicted Native persons to the Court when requested to do so. This function was not unlike a Pre-Sentence Report prepared by a Probation Officer.

By 1969, Native people throughout Alberta had recognized and accepted the idea and operation of the Edmonton Courtworker. His help was solicited from outside the city however he could not respond adequately to these requests due to his ties with the Edmonton Friendship Centre. Increasing demand for Courtwork services outside Edmonton

from many Native people and from some of the rural Courts led to a major expansion in the provision of this service.

In January, 1970, the Metis Association of Alberta assumed the formal and financial responsibility for Courtwork services. The Courtwork program adopted the name Native Courtworkers Services. Courtworkers were hired for northern Alberta in the Edmonton, Lac la Biche, Fort McMurray and Slave Lake - High Prairie areas.

This move to the Metis Association enabled Courtwork services to expand and to meet more of the needs of more Native people in Alberta. This move however was not without problems.

At this time the Metis Association of Alberta was a semi-political organization that was actively and forcefully voicing its concerns. It soon became apparent that the political activities of the Association would seriously jeopardize the operation of the Services which was purposely non-political. An additional problem centred around jurisdictional and financial matters. Through the provision of Courtwork Services, the Metis Association was providing services to Treaty Indians. Treaty Indians generally are within the jurisdiction of the Federal Government whereas non-treaty Indians as well as Metis people are not in such a position.

In an effort to resolve these difficulties, the Native Courtworkers Services left the Metis Association in June, 1970 and under the authority of a provisional Board of Directors struck out on its own. Funding came from grants from the Federal Government's Department of Indian Affairs and the Provincial Government's Human Resources Development Authority. These funds came directly to the Services, however the responsibility for these funds initially rested with the Alberta Native Communications Society.

In September, 1970, a formal seven-man Board of Directors was selected to direct the Services. This Board assumed direct responsibility for the financial matters as well as the program of the Services.

In April, 1971, the Native Courtwork Services changed its name to the Native Counselling Services of Alberta. Financial Arrangements were again negotiated with the Federal and Provincial Governments. The Service extended the Courtworker program to southern Alberta and embarked on an additional program of Alcohol Education for Native people.

A historic meeting was held in Edmonton on October 11, 1972 to review the over-all effect of the Service and to decide as to its continuation, expansion, curtailment, or termination. The Alberta Government was represented by officials from the Human Resources Development Authority, the Juvenile and Family Courts, the Provincial Court, the Department of Health and Social Development, and the Deputy Attorney General. The Federal Government was represented by officials from the Department of Justice and the Department of Indian Affairs and Northern Development. Native leaders in attendance were from the Metis Association of Alberta, the Indian Association of Alberta and the Voice of Alberta Native Women. All those in attendance offered positive testimonials concerning the benefits of the Service and pledged their continuing support. Arrangements were made for the Service to be funded annually by the Provincial and Federal Governments rather than on the short-term basis that existed for a period of time before the meeting.

Formal Organization

The Service is governed by a seven-man Board of Directors who were originally selected from a list of nominees submitted by the Indian Association of Alberta and the Metis Association of Alberta. This policy of selecting members of Native origin from various Native organizations is still maintained. Board members represent different geographical areas in Alberta. Efforts are made to balance as much as possible the distribution of Treaty and Non-Status Board members, Courtworkers, and office staff. The Board is responsible for general policy in regards to personnel, training,

finances, and public relations. Day to day operations are handled by the Executive Director and the central office staff located in Edmonton. The Executive Director is actively involved with the Board on most issues. The Board generally adopts a "soft sell" approach concerning the operation of the Service and emphasis is placed on cooperating with the various agencies and personnel with which it comes in contact. This quiet, methodical way of handling itself, coupled with its policy of avoiding controversies of a political nature, has provided the Service with a stable, permanent footing.

Finances

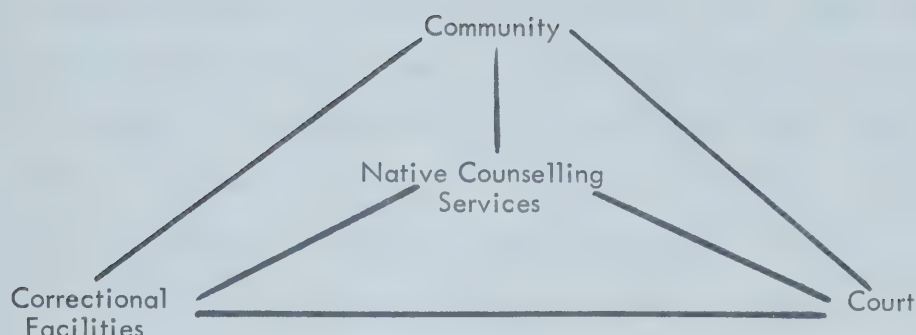
Funds currently are obtained in the form of grants from the Federal and Provincial Governments on a fifty-fifty basis. A contract is negotiated each year by the Board directly with senior levels of each Government. In previous years a major problem faced by the Board was that of obtaining financial support on a regular basis. Early contracts were frequently for short periods of time such as one or three months and this resulted in a feeling of uncertainty concerning future operations.

As the Service gained recognition as a valuable and integral part of the Criminal Justice System in Alberta, more stable, longer term financial arrangements developed. At the present time, the Service operates under a one-year contract with a budget for Courtwork Services of approximately \$250,000.

The Native Counselling Services and the Criminal Justice System

A major concern of the Service is Native people and the Criminal Justice System. As a result the Service has developed a series of programs designed to supplement certain existing services to Native people as well as to provide certain new services.

The following diagram is offered as an aid in viewing the overall operations of the Service.



The Service has attempted to become involved with Native people at the investigation, trial, sentence and post-sentence stages of the Criminal Justice System. Historically, the central program of the Service has been its Courtwork program. As the Courtwork program gained in acceptance and experience, it recognized the extent to which many Native people had severe drinking problems. Most Native people appearing in court were involved in alcohol-related offences. The Service also recognized that Native people themselves were doing very little in the way of alcohol rehabilitation and even less concerning prevention. Up to this point in time, what little support there was for alcohol education and treatment for Native people had been restricted to that provided by traditional agencies within government and groups such as Alcoholics Anonymous.

As a result, in April of 1971, when the Native Counselling Services of Alberta was formally established, it embarked on an Alcohol and Drug Education Program in addition to the Courtwork program. It was the hope of the Service that attempts concerning alcohol rehabilitation and prevention would, besides having a positive impact on this most damaging and damning aspect of Native life, also help to alleviate part of the problem of Native people appearing in court.

Another conclusion reached by the Service, in addition to that concerning Native people and the use of alcohol, concerned the generally low level of knowledge

and awareness on the part of most Native people of the various agencies and programs with which they had contact. There seemed to be a low level of understanding as to what were the goals and procedures of the various parts of the Criminal Justice System. In an effort to improve this condition, the Service developed a series of information sessions known as Workshops in the hopes of bringing Native people and officials of the various agencies together in a friendly informative atmosphere. The Workshops are organized by Native people with the help of the Courtworker who arranges the attendance of resource people with whom the Native people wish to meet. The resource people outline their duties and interests in order to better acquaint the Native people with the services available to them and the desired relationships between the Native people and the agency.

Another area into which the Service has extended its operations is that of the correctional agencies such as the institutions, parole and probation. Courtworkers are often involved in supervising Native probationers, especially when a Native Probation Officer is not available. In these cases, the Courtworker and the Probation Officer work informally with each other. The Service has, however, formalized its relationship with correctional institutions, both Federal and Provincial, as well as with the National Parole Service. In August, 1972, the Services entered into a contract with the Canadian Penitentiary Service to have a Native Liaison Officer at the Drumheller Penitentiary. The Liaison Officer works with Native inmates and the institution staff in an effort to assist the inmate to make the best use he can of the facilities within the Canadian Penitentiary Service.

A similar relationship has been formalized with the Government of Alberta and as of June 19, 1973, a Liaison Officer with the Service has been working with Native inmates at the Fort Saskatchewan Correctional Institution.

The Native Counselling Service established a formal relationship with the National Parole Service in 1970. The Native Counselling Services' Parole Officer helps Native inmates formulate acceptable parole plans and assists in the supervision of Native parolees.

The Courtwork Program

The Courtwork program traditionally has occupied the central position in the development of the Native Counselling Service. It was from the experiences of the Courtwork program that the Alcohol Education, Liaison Officer, Parole Officer and Workshop programs evolved. As a result of their efforts to be of assistance to Native people who were involved in the various stages of the Criminal Justice System, the experiences of the Courtworkers have been varied and wide ranging. At one point or another, most of the Courtworkers have been involved at every point of the Criminal Justice System from the laying of charges and the trial and sentencing procedures to the post-sentence activities such as imprisonment, parole, probation and ultimately the Native accused's release back into the community.

While the Alcohol Education, Parole Officer and Liaison Officer programs offered by the Native Counselling Service are more formal in their duties and relationships with Native people and with parts of the Criminal Justice System, the Courtwork program has retained a greater degree of diversity and flexibility, thus enabling it to respond to the varied needs of both the Native people and the Criminal Justice System. The primary objective of the Courtwork program is to assist Native people in Alberta to develop a better understanding of their rights, interests, privileges and responsibilities in relation to the Criminal Justice System. It is the job of a Courtworker to assist Native people, wherever they may be in relation to the Criminal Justice System, to better understand the process and their relationship to it. The Courtworker attempts to bridge whatever gaps may exist between the Criminal Justice System and the Native people.

The key feature of the Courtwork program is liaison. It is the policy of the Courtworkers to cooperate with the personnel and programs of the Criminal Justice System in the hopes of contributing to the achievement of the various goals of the Criminal Justice System as well as contributing to the development of a more complete understanding within the Criminal Justice System of the needs and concerns of Native people .

Activities of Courtworkers

In addition to the general job description outlined above, each Courtworker brings to his job a unique set of personal circumstances, experiences, interests and abilities. These unique features, combined with the unique and varied situations in which they operate in terms of the community, enforcement agencies, Judges, court officials, lawyers and laws preclude a detailed discussion of what all Courtworkers do at all times. They do somewhat different things in different ways in different situations.

Court Attendance: Attending court is the predominant activity of the Courtworkers. The specific activities vary with the court concerned, be it Provincial, Family and Juvenile, or Appeal. A general duty is to make themselves equally available to the Court and to the Native people. Through their presence at court, the Courtworkers signal their willingness to be of assistance in whatever way is required by the Judicial system and the Native people who are involved in the system. By attending court, the Courtworkers generate a series of other activities which constitute much of their work.

Information About the Law: Many times Courtworkers find themselves being questioned by Native people as to the general nature of their charges, the possible sentence, and certain court procedures, an example being reserving plea in order to contact legal advice. Many Native people discuss the details of their case with the Courtworker and seek his advice as to what to do. The Courtworker tries to ensure that the accused has a general understanding of the situation and the kind of decisions the

person will have to make. Depending on the circumstances, the Courtworker may advise the accused to discuss the matter with a lawyer. He may also suggest that it is not necessary to seek legal advice and that the accused can decide the matter for himself.

Courtworkers assist Native accused in filing applications to the Alberta Legal Aid Society. This ensures the application is correctly completed and forwarded to the proper authorities. By being involved in making the application, the Courtworker fulfils a screening function in terms of eligible/ineligible applicants. The Legal Aid Society, which makes the final decision whether or not an application is accepted, is willing to grant legal counsel to a Native applicant if the Courtworker makes a special recommendation to the Society. The Native Counselling Services of Alberta and the Alberta Legal Aid Society work closely together to ensure that Native people make better use of the services offered by the Society. The Courtworkers encourage Native accused to make more use of legal services, either public or private.

Appearing for Others: One duty sometimes performed by the Courtworker is that of appearing in court for an accused who is unable to attend personally due to legitimate reasons such as employment on a trap line or remote lumbering camp. The Courtworker will explain the reason for the accused's absence and indicate what instructions, if any, he has received. A Courtworker will not act as an agent if he is being "used" by an accused. The Courtworkers encourage Native people to accept their responsibility of appearing in court.

Interpreting: A Courtworker may be called upon to act as an interpreter for a Native person. This activity may occur during the reading of the charge, outline of the circumstances to the court, the accused's remarks as to sentence, or even during a trial. The Courtworker is also involved in explaining what has happened in court to onlookers who did not understand at the time.

Speaking to Sentence: Many native accused, upon pleading guilty, indicate they have nothing to say on their own behalf. The Courtworkers play an important role here in providing the court with information about the accused and his circumstances which may be relevant to the case. In some courts the Courtworker will be encouraged to provide such information whenever he feels it is important while in other courts the Courtworker will be allowed to provide relevant information only when requested.

In general, Courtworkers try to ensure that the court is aware of the circumstances of the accused, either directly to the court or through processes such as a Probation Officer preparing a Pre-Sentence Report. The Courtworkers also encourage and provide moral support for Native people to speak up in court on their own if they have questions to ask or answers to give.

Explaining Orders, Documents and Procedures: Many Native people receive legal documents and orders which they are unable to fully understand. A Courtworker is able to provide these people with a general understanding of what it means or he can make arrangements for the person to contact another source, such as a lawyer or the issuing body, to find out what exactly is involved.

In many ways, it seems that Native people see the Courtworker as a person to whom they can turn for advice on a variety of matters which generally fall within the scope of the Criminal Justice System. These inquiries are not limited to strictly criminal matters. Courtworkers are consulted as regards to statutes involving child welfare, motor vehicles, highways, liquor, fish and wildlife, city by-laws and consumer legislation, as well as a variety of administrative and procedural matters which affect the lives of Native people but which they often fail to fully understand.

Workshops: The Courtworkers are very active in helping Native communities set up Workshops. They contact resource people and take part in the Workshops by explaining their own roles and activities.

Initiating Court Proceedings: The Courtworkers assist Native people in initiating formal legal proceedings such as in civil, criminal and Family Courts. The main focus here is on providing moral support, encouragement, and initial procedural advice to Native people who are reluctant to do so on their own.

Other Agencies: Although Courtworkers spend much of their time working with Native people in the effort to ensure they understand a situation more fully, Courtworkers also try to ensure that the various agencies and personnel within the Criminal Justice System have more information and develop a deeper understanding of some of the unique situations in which Native people find themselves. Some examples here are Native people and their extensive use of alcohol, their proportionately high rate of involvement with enforcement and correctional agencies and their dependence on Welfare agencies in certain areas of Alberta. The exact nature of these unique situations varies with the people, places and agencies involved but the overall goal of the Native Counselling Services in this regard is to encourage the agencies to give close attention to facilities and services which have the potential to become more valuable to more Native people. Two examples will be mentioned here. The Native Counselling Services feel they were influential in the decision of the Provincial Government to begin hiring Probation Officers who were Native, despite the fact that the formal requirements of the position such as education were not met. The second example concerns the Henwood Treatment Center, where there is now a Native alcohol counsellor on staff. The Native Counselling Services feels that developments like these are important and necessary if Native people are to make the best possible use of these services.

Who are the Courtworkers?

The Courtworkers are men and women who possess a unique ability to successfully communicate between two often distinct communities. On the one hand there is

the different Indian dialects in the Native communities. On the other hand there is the English speaking White community which comprises the Judiciary, Probation, Parole, Welfare, Enforcement and Institutional Services of the Criminal Justice System. To act as a bridge between these communities is not an easy task. An eagerness and ability to learn about the Criminal Justice System plus the ability to speak a Native dialect as well as English are the prime characteristics sought by the Service when looking for Courtworkers. The majority of the Courtworkers and Alcohol Counsellors have had the experience of being offenders and many have faced the same problems as the people with whom they are now dealing. Formal education and professional training are of little value to a Courtworker if he cannot establish a workable degree of trust and respect in each community.

Most of the training received by the Courtworkers is on-the-job although an initial training period is offered. Seminars on various topics of concern to the Courtworkers, such as alcoholism, Treaty rights, and Family Law, are held periodically. The Courtworkers operate quite independently from the central office in Edmonton although they receive regular visits from the Assistant Director of the Service. Association with other Courtworkers is limited to contact at staff meetings, seminars and workshops.

The central office in Edmonton, where the Executive Director, Assistant Director and Executive Assistant are located, spend as much time as possible with the field staff to assist them in developing their own competence. The senior staff are also in close contact with a Courtworker and with senior officials of other agencies who are seeking to establish new facilities or services which concern Native people. One example of this cooperation is the effort to hold court on a Reserve.

The senior members of the Native Counselling Service retain a close relationship with a Courtworker and with senior Police officials when the issue of police brutality involving Native people arises. In these cases, the Service investigates the matter

thoroughly and if it appears a Native person has been wronged, the Courtworker provides advice and encouragement for the victim to seek out his rights under civil or criminal proceedings. If it appears that the allegations of excessive force on the part of police officers are unfounded, the Courtworker ensures that the Native people concerned with the incident are fully informed as to what occurred and why the officers acted as they did. By doing so, it is hoped that everyone concerned clearly understands what was involved and that the Native people do not develop unnecessarily negative feelings about the police as a result of this incident.

Recommendations

The foregoing discussion was presented to provide the Commission with information concerning the development and operation of the Native Counselling Services of Alberta. On the basis of this experience with the Criminal Justice System, the Native Counselling Services of Alberta offer the following recommendations concerning the administration of justice in the Provincial Courts in Alberta.

1. The Native Counselling Services of Alberta recommends that the provision of legal services by the Legal Aid Society to Native people continue to be expanded, especially in the areas where Treaty Rights appear to be involved. The Service also recommends that the provision of legal services to Native people be extended to all inquiries into the deaths of Native people, pursuant to the Coroner's Act.
2. The Native Counselling Services of Alberta recommends that serious consideration be given to establishing a policy of holding court on Reserves and in other Native communities where such a request is made by the Native people. This policy would

provide a valuable educational service to the residents of these communities especially those who do not have to appear and are not able to travel the long distances often required to get to and from court. Holding court in Native communities would allow the full disclosure of the facts to be communicated to the residents. This would reduce the flow of misinformation and bragging about what occurred in court. The residents would have more accurate knowledge as to what occurred at court and would be in a better position to react to those who did appear. There may also be sufficient embarrassment in having to appear before one's fellow residents to have a deterrent effect.

Another factor of some importance here is the transportation problem for those who have to appear. In many cases, the lack of adequate transportation facilities, both public and private, do not encourage appearing in court due to the time involved getting to court and then back to the often isolated community. It may be more efficient to have the court officials go to the Native community than to have the community try to make it to court.

3. The Native Counselling Services of Alberta recommends that the presentation of Workshops in Native communities be expanded to include more involvement of agencies such as Courts, Police, Welfare, Lawyers, and Correctional Officials in the planning stages. This increased involvement will require an increased commitment in terms of time and money from the various agencies who are presently active in the Workshops in

order to develop a variety of presentation techniques and formats that will improve the effectiveness of the Workshops.

4. The Native Counselling Services of Alberta recommends that newly appointed officials to the various agencies of the Criminal Justice System, such as Judges, Police Officers, Fish and Wildlife Officers, Social Workers, and Probation Officers, be encouraged to make a greater effort to become acquainted with the Native people, particularly their leaders, in the communities that they will be serving. While this may be done at a Workshop, it is submitted that additional efforts on the part of the various agencies will benefit both the agency and the Native people with whom they will be dealing.
5. The Native Counselling Services of Alberta recommends that provisions be made for office space or access to interview rooms in the various buildings housing Provincial Courts throughout the province for the Courtworkers. At the present time, most of the Courtworkers do not have an office of their own from which to operate. In most cases the Courtworkers are required to share or use, upon request, the offices of other people or agencies. Offices located in Court buildings would facilitate the use of Courtwork services by Native people as well as by the various agencies.
6. The Native Counselling Services of Alberta recommends that the practice of having police officers act as prosecutors during a trial be discontinued. It is submitted that the role of a prosecutor may not be ideally fulfilled by a police officer who is a

member of the arresting detachment or who is the arresting officer himself.

7. The Native Counselling Services of Alberta recommends that serious consideration be given to examining a number of alternatives to the use of imprisonment for Native people. The Native Counselling Services of Alberta is willing to work in cooperation with other agencies in the conduct of pilot projects in this regard. One area where the consideration of alternatives to the present way of handling offenders may be applicable is in the area of imprisonment in default of payment of fines, especially for convictions under the Liquor Control Act. One alternative could be to develop a method of working off the fine on approved Native community projects and facilities. The principle idea would be to involve the community to a greater extent in the efforts to deal with offenders. The Service is aware of isolated incidents throughout Canada where the Police, Judge, Probation Officer, community and employers work closely together with certain Native offenders in an effort to more adequately meet the needs of everyone concerned in potentially constructive ways rather than continuing to use the standard methods of handling offenders and hoping that some benefit will accrue.
8. The Native Counselling Services of Alberta recommends that the various agencies and programs of the Criminal Justice System dealing with Native people conduct small scale research projects to examine the relationship between Native people

and selected agencies or offences. One example here is the Liquor Control Act. A brief survey in 1973 sponsored by the Service relating to Native people and the Liquor Control Act indicates there are some extreme variations in the patterns of enforcement and sentencing of this Act. Research projects which examine issues such as the above have the potential to demonstrate what is occurring in various parts of the Criminal Justice System and can point to the strengths and weaknesses of the agencies and programs in terms of their relationships with Native people. It is submitted that such information is essential if the programs and agencies are to be successful in the provision of services to the community in general and to Native people in particular.

9. The Native Counselling Services of Alberta recommends that its present formal relationship with the Government of Alberta through the Department of Northern Development be changed to that of the Department of the Solicitor General or the Department of the Attorney General. This would be more functional in view of the goals and activities of the Service in relation to the investigative, judicial, correctional and social welfare processes in Alberta. In addition to facilitating the closer association between the Service and the Criminal Justice System in Alberta, such a move would serve to reduce the confusion that exists between the Service and other Native organizations associated with the Department of Northern Development that have quite

different goals and activities. At the Federal level, the Service is associated with the Department of Justice and there has been adequate and stable funding from the Federal Government. A change to its Provincial counterpart could facilitate more adequate and more stable funding for the Service from the Government of Alberta.

Conclusions

The Native Counselling Services of Alberta stands prepared to work in cooperation with the people, agencies and programs of the Criminal Justice System in the attainment of their various goals in regards to Native people. The Service will continue to act as a liaison between the Native people and the Criminal Justice System. In addition, the Service will continue to seek new ways of attaining its goals as well as those of the Criminal Justice System.

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